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Amendment
Attorney Docket No. H01.2I-8601-US01

Remarks

This Amendment is in response to the Office Action dated April 24, 2003. The office action indicates claims 4-6 are withdrawn; claims 3, 8, 10-12, and 14-19 are rejected under §112; claims 1-3, and 8-19 are rejected under §102 as being anticipated by Stout, and claim 7 is rejected under §103 over Stout.

In response applicant has amended the claims to overcome the §112 rejections.

Applicant respectfully traverses the §102 rejection based on Stout. Stout discloses a method for packing containers by releasably fastening divider 92 to a flat lying blank 10. The divider avoids unwanted can-to-can contact between the tiers of cans (column 1, line 17 to 19). The divider panel is disposed between the interior of the tubular structure of the multi-piece packaging between and substantially parallel to the top and bottom panels of the multi-piece packaging (column 2, lines 7 to 11). To access the lower layer of cans, the divider must be removed from the package (column 4, lines 48 to 52). That is why the divider 92 is releasably fastened to blank 10.

The divider does not have receivers for inserting containers. The divider is not a multi-piece packaging which according to the inventive method has receivers which are filled with containers and which is releasable from the transport boxes together with the filled-in containers.

Stout does not disclose, teach or suggest a method of packaging containers using transport boxes and multi-piece packagings. Therefore claims 1-3, and 8-19 are not considered anticipated by Stout.

Claim 7 is also not considered obvious in view of Stout, based on the comments above in connection with claims 1-3 and 8-19. Elements of claim 7 are missing from the disclosure of Stout, namely no multi-piece packagings having receivers and which are releasable

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from transport boxes is disclosed in Stout.

Applicant has added new claim 20, which is a combination of claim 1 and part of claim 15. This claim is not believed to be anticipated or rendered obvious over Stout for the same reasons as set forth in connection with claim 1. No excess claim fee is believed to be required for this claim. However, if this is not correct, please charge any excess claim fee to deposit account no. 22-0350.

Applicant also requests that the three month extension fee be charged to deposit account 22-0350.

Claims 1-3 and 8-20 are believed to be in condition for allowance.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: October 24, 2003

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